



Action Agenda

Board of Commissioners

June 25, 2015

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on June 25, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Charles Oddo, Chairman
David Barlow
Steve Brown
Randy Ognio

Commissioner Absent:

Pota Coston, Vice Chair

Staff Present:

Steve Rapson, County Administrator
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk
Dennis Davenport, County Attorney

Call to Order

Chairman Oddo called the June 25, 2015 Board of Commissioners meeting to order at 7:01 p.m.

Invocation by Commissioner David Barlow

Commissioner Barlow offered the Invocation.

Pledge of Allegiance

Commissioner Barlow led the Board and audience in the Pledge of Allegiance.

Update on the storm that damaged the Whispering Pines Mobile Home Community in Tyrone, Georgia:

Chairman Oddo asked Fire Chief David Scarbrough to show pictures of the storm damage that occurred on June 24, 2015 in Tyrone, and the Board thanked the first responders who responded to the storm. Chief Scarbrough stated that the Fire Department would take calls from those who desire to help the residents of the Whispering Pines Mobile Home Community.

Acceptance of Agenda

Commissioner Brown moved to approve the Agenda as published. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

PROCLAMATION /RECOGNITION:

1. **Recognition of the outstanding volunteers of the Fayette County Public Library who strive to make a difference in the Fayette community.**

Commissioner David Barlow and Library Director Christeen Snell recognized the volunteers of the Fayette County Public Library. The members of the Fayette County Library Board were also recognized.

2. **Presentation of Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2014.**

Chairman Oddo, County Administrator Steve Rapson and Chief Financial Officer Mary Parrott spoke about the hard work that the Finance staff performs in order to obtain the Government Finance Officers Association's Certificates of Achievement for Excellence. Senior Financial Analyst Bonnie Jones and Human Resources Analyst Brady Every, who formerly worked in the Finance Department, were recognized for earning the Certified Local Government Finance Officer- Level 1 Certificate from the University of Georgia.

PUBLIC HEARING:

Community Development Director read *Introduction to Public Hearings for the Rezoning of Property* into the record and he introduced Public Hearing #3 to the Board.

3. Public Hearing on staff's recommendation to transfer an existing 2014 Retail Alcohol, Beer and Wine License (License #C14-000465) from Marvell Group, LLC, to Zainulabdin Gillani, doing business as DJ One Stop, which is located at 1850 S SR 85, Fayetteville, Georgia 30215.

Community Development Director Pete Frisina informed the Board that staff had reviewed the request to transfer the existing Retail Alcohol, Beer, and Wine License and reported that the applicant had met all requirements.

No one spoke in favor of or in opposition to this request.

Commissioner Brown moved to approve staff's recommendation to transfer an existing 2014 Retail Alcohol, Beer and Wine License (License #C14-000465) from Marvell Group, LLC, to Zainulabdin Gillani, doing business as DJ One Stop, which is located at 1850 S SR 85, Fayetteville, Georgia 30215. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

4. Public Hearing of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road, with two (2) conditions.

Community Development Director Pete Frisina briefed the Board on Petition No. 1245-15. Agent Randy Boyd spoke to the Board about the petition and he stated that the applicant agreed to the two conditions.

No one spoke in favor of or in opposition to Petition No. 1245-15.

Commissioner Barlow moved to approve Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road with two (2) conditions. Commissioner Brown seconded the motion. Discussion followed.

Commissioner Brown read the two conditions into the record and asked Mr. Boyd to confirm that the applicant agreed to the conditions. Mr. Boyd confirmed that the applicant agreed to the conditions. Mr. Boyd added that the applicant would seek Option #2 of the second condition.

The motion to approve Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with said property

being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road with two (2) conditions passed 4-0 with Vice Chair Coston being absent.

5. **Public Hearing of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 252 of the 13th District and fronting on Kite Lake Road. The Applicant has requested to withdraw the rezoning application.**

Community Development Director Pete Frisina briefed the Board on Petition No. 1246-15.

No one spoke in favor of or in opposition to the petition.

Commissioner Ognio moved to accept the withdrawal of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 252 of the 13th District and fronting on Kite Lake Road. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

6. **Public Hearing of Petition RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision with said property being located in Land Lots 47, 79 & 80 of the 7th District and fronting on Lee's Lake Road and Coastline Road.**

Community Development Director Pete Frisina briefed the Board on Petition RDP-012-15.

Agent Donna Black spoke in favor of Petition RDP-012-15. No one else spoke in favor of or in opposition to the petition.

Commissioner Brown moved to approve Petition RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision with said property being located in Land Lots 47, 79 & 80 of the 7th District and fronting on Lee's Lake Road and Coastline Road. Commissioner Barlow seconded the motion. Discussion followed. The motion passed 3-1 with Commissioner Ognio voting in opposition and Vice Chair Coston being absent.

7. **Public Hearing on the County's recommended annual budget for Fiscal Year 2016 which begins July 1, 2015 and ends June 30, 2016, and adoption of Resolution 2015-09 establishing the annual operating, capital, and CIP budgets for Fiscal Year 2016.**

Chief Financial Officer Mary Parrott and County Administrator Steve Rapson briefed the Board on the recommended Fiscal Year 2016 budget, and she presented three options available for the Cost of Living Adjustment (COLA). Mrs. Parrott and Mr. Rapson then answered questions from the Board.

Commissioner Ognio expressed several concerns with approving a COLA and concluded that he could not support voting in favor of a COLA. Mrs. Parrott and Mr. Rapson gave several reasons why a COLA was recommended.

Chairman Oddo opened the floor to the public.

Emory McHugh: Mr. McHugh spoke for approximately thirteen minutes on his concerns about the recommended Fiscal Year 2016 budget and the "impending fiscal cliff" Fayette County is heading toward.

No one else spoke in favor of or in opposition to the recommended Fiscal Year 2016 budget.

Commissioner Barlow moved to accept Option #1 as recommended by staff which would include the 2% COLA to County employees in good standing effective July 1, 2015 and would fund a 2% one-time payment to County employees in good standing to be paid in the second half of the fiscal year conditioned on positive budget performance. Commissioner Oddo seconded the motion. Extensive discussion followed. The motion failed 2-2 with Commissioners Brown and Ognio voting in opposition and with Vice Chair Coston being absent.

Commissioner Barlow moved to accept Option #3 with no COLA for County employees and to accelerate the 2% one-time payment for County employees to be implemented July 1, 2015. Chairman Oddo seconded the motion. Discussion followed. The motion failed 2-2 with Commissioners Brown and Ognio voting in opposition and with Vice Chair Coston being absent.

Commissioner Brown moved to accept Option #3 and to keep the incentive pay as recommended. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

Mrs. Parrott asked the Board to adopt Resolution 2015-09 with total budgeted funds being \$93,595,728.00, which is Option #3.

Commissioner Brown moved to adopt Resolution 2015-09 with the dollar figures as stated. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

CONSENT AGENDA:

Commissioner Brown asked to remove Consent Agenda #17b.

Commissioner Brown moved to approve Consent Agenda #8-17a. Commissioner Ognio seconded the motion. Discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

- 8. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Brooks allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 9. Approval of staff's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 10. Approval of staff's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 11. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Tyrone allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 12. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Woolsey allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 13. Approval of staff's recommendation to purchase a policy for property and casualty insurance from OneBeacon, for Fiscal Year 2016, through Apex Insurance, formerly Public Risk Underwriters, for an amount of \$582,585.00, and authorization for the Chairman to sign the policy and related documents.**

14. **Approval of staff's recommendation to adopt Resolution 2015-08 and, in so doing, accepting the updated 2015 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000.**
15. **Approval of staff's recommendation to award annual Bid #969-B to E.R. Snell Contracting of Tyrone as primary vendor and to C.W. Matthews of Tyrone as secondary vendor, in an aggregate amount not-to-exceed \$1,363,485.00 for the purchase of asphalt during the 2016 Fiscal Year.**
16. **Approval of the disposition of tax refunds, in the aggregate amount of \$328.83, as recommended by the Tax Assessor's Office.**
17. **Approval of the June 2, 2015 Board of Commissioners Special Called Meeting Minutes and the June 11, 2015 Board of Commissioners Meeting Minutes.**

Commissioner Brown moved to approve the June 11, 2015 Board of Commissioners Meeting Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 3-0-1 with Commissioner Brown abstaining from the vote and with Vice Chair Coston being absent.

OLD BUSINESS:

There were no Old Business Items on the Agenda.

NEW BUSINESS:

18. **Consideration of the Fayetteville annexation of 200 Hunters Glen and 100 S. Morning Dove Drive in Quail Hollow Subdivision, and the rezoning of said property from R-40 (Single-Family District) to R-40 (Single-Family District).**

Chairman Oddo stated that his property was adjacent to the property under consideration and therefore he would recuse himself. Chairman Oddo left the meeting room as New Business #18 was considered.

County Attorney Dennis Davenport stated this was a unique situation since both the Chairman and Vice Chair were not present for the vote. He stated that the Board did have a quorum but it needed to vote on a presiding officer for New Business #18.

Commissioner Ognio moved to elect Commissioner Steve Brown as presiding officer of the agenda item. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 3-0 with Chairman Oddo being recused and Vice Chair Coston being absent.

Community Development Director Pete Frisina briefed the Board on the annexation request and he answered questions from the Board.

Commissioner Brown moved to not object to the annexation request and to forward the decision to the City of Fayetteville. Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed 3-0 with Chairman Oddo being recused and Vice Chair Coston being absent.

Chairman Oddo returned to the meeting after the vote was taken.

19. Consideration of the Fayetteville annexation of 467 Veterans Parkway and the rezoning of said property from R-70 (Single-Family District) to PCD (Planned Community Development).

Community Development Director Pete Frisina briefed the Board on the annexation request and he answered questions from the Board.

Commissioner Brown moved to not object to the Fayetteville annexation of 467 Veterans Parkway and the rezoning of said property from R-70 (Single-Family District) to PCD (Planned Community Development). Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

20. Consideration of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County and the Town of Tyrone for the provision of Code Enforcement Services.

Chief Marshal Harold Myers briefed the Board on staff's recommendation and answered questions from the Board.

Commissioner Brown moved to enter into an Intergovernmental Agreement between Fayette County and the Town of Tyrone for the provision of Code Enforcement Services with the ability to retract the services if it does not work out. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

PUBLIC COMMENT:

Roy Bishop: Mr. Bishop reported that there were still problems with the septic system and fill line at his house on Westbridge Road. He stated that staff had emailed him several other options after he spoke at a previous meeting. Mr. Bishop stated that a soil scientist had come to his property but was unable to find a solution. He said he only wanted to keep the Board informed of the progress.

Mayor Greg Clifton: Fayetteville Mayor Greg Clifton said a request was coming to the Board on the July 9, 2015 Agenda to modify the existing Intergovernmental Agreement to re-purpose the funds to build a roundabout on Veterans Parkway in lieu of a tunnel, and he spoke about the safety and aesthetic benefits of a roundabout as compared to a tunnel. He thanked the Board for voting to not object to the annexations on the Agenda.

Tom Waller: Mr. Waller reminded the Board that he had asked for a status report on the West Fayetteville Bypass that he had a commitment that it would be addressed at the meeting. He asked that when the presentation is given that a time-line also be provided so that people could see where the project is "bogged down." Mr. Waller also commented on the tunnel under Sandy Creek Road saying that the main reason for building a tunnel was to allow people at Pinewood Studios to get from one side of the road to the other. He said Pinewood was doing good when it bought the \$10 million school for \$5 million, and he did not believe the county should subsidize Pinewood Studios anymore.

ADMINISTRATOR'S REPORTS:

Selection Committee for the Public Facilities Authority: County Administrator Steve Rapson stated that the Board needed to establish a Selection Committee for the Public Facilities Authority. The Board appointed Commissioners Barlow and Brown to the Selection Committee.

Voting Delegate for the 2015 Legislative Leadership Conference: County Administrator Steve Rapson asked the Board to appoint a Voting Delegate for the 2015 Legislative Leadership Conference. The Board appointed Commissioner Barlow as the Voting Delegate.

Response to Mr. McHugh's Comments: County Administrator Steve Rapson replied to some of the concerns expressed by Mr. McHugh earlier in the meeting.

Response to Mr. Waller's Comments: County Administrator Steve Rapson stated that he sent an earlier email to the Board concerning the West Fayetteville Bypass. He said the update would be delayed until September.

Update on the Lake Peachtree Spillway and the Spillway: County Administrator Steve Rapson reminded the Board that he had sent several emails to the Board and to the City of Peachtree City providing updates on Lake Peachtree and the spillway.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport notified the Board that of nine items of Pending Litigation and the review of the June 11, 2015 Executive Session Minutes needed to be considered in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow said he was sad that the Board did not approve the COLA for the employees. He spoke about how the previous administration "ripped off the county" by enacting early retirement. He said the positions were not replaced that those who remained had to step up and do 140% or 150% of their job requirements. He said tonight was a chance to reimburse the employees for the work they have been doing, and he wanted the Fayette Chamber of Commerce to take note of his position. He said the employees deserved the COLA and he said he would work diligently to give it to them.

Commissioner Brown: Commissioner Brown asked for "State of the Bypass" at the next meeting. County Administrator Steve Rapson replied that the update was planned for the next meeting, but based on the upcoming traffic study could dramatically impact the report. He stated that the traffic study would be completed in August so the report would be coming in September. Commissioner Brown asked for an update at each meeting on the Lake Peachtree dredging project. He pointed out that for every day there is rain the dredging is delayed for several days since there is standing water. Commissioner Brown asked Water System Director Lee Pope to provide an update on the drinking water since he is getting phone calls from people who read the report in their water bill. Commissioner Brown spoke about a possible solution for Mr. Bishop's septic system that was utilized in Peachtree City. Commissioner Brown stated that the Board needed to seriously look at the proposed City of Fayetteville roundabout and he expressed several concerns with the roundabout.

Commissioner Ognio: Commissioner Ognio stated his daughter is dating a fireman so he went by Fire Station #11 where the firemen renovated the kitchen. He said they did a "really nice" job and that he was impressed with their

work. He thanked the firemen for their efforts in making that happen. Commissioner Ognio wished everyone to have an enjoyable and safe 4th of July holiday.

Chairman Oddo: Chairman Oddo wished everyone a happy 4th of July holiday and mentioned that there would be a parade in Peachtree City. He commended staff for its work on the budget. He stated that the budget did not meet with universal acclaim this year, but he thanked staff for working on it. He asked the people to double-check their cars for people or pets and to look in on elderly neighbors since it is so hot during the summer.

EXECUTIVE SESSION:

Nine Items of Pending Litigation and Review of the June 11, 2015 Executive Session Minutes: Commissioner Brown moved to recess into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

The Board recessed into Executive Session at 9:53 p.m. and returned to Official Session at 10:26 p.m.

Return to Official Session and Authorization for the Chairman to Sign an Executive Session Affidavit:

Commissioner Ognio moved to return to Official Session and for the Chairman to sign an Executive Session Affidavit. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

Approval of the June 11, 2015 Executive Session Affidavit: Commissioner Ognio moved to approve the June 11, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

ADJOURNMENT:

Commissioner Brown moved to adjourn the June 25, 2015 Board of Commissioners meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Vice Chair Coston being absent.

The June 25, 2015 Board of Commissioners meeting was adjourned at 10:27 p.m.

Floyd L. Jones, County Clerk